

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**



FILED

09-14-07
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Order Instituting Rulemaking to Promote Policy
And Program Coordination and Integration in
Electric Utility Resource Planning

Rulemaking 04-04-003
(Filed April 1, 2004)
(QF Issues)

Order Instituting Rulemaking to Promote
Consistency in Methodology and Input
Assumptions in Commission Applications of
Short-Run And Long-Run Avoided Costs,
Including Pricing for Qualifying Facilities.

Rulemaking 04-04-025
(Filed April 22, 2004)
(QF Issues)

**NOTICE OF EX PARTE COMMUNICATION
OF THE CALIFORNIA COGENERATION COUNCIL**

Pursuant to Rule 8.3 of the Rules of Practice and Procedure of the California Public Utilities Commission (the "Commission"), the California Cogeneration Council ("CCC") submits this Notice of *Ex Parte* Communication.

On September 12, 2007 at approximately 10:15 a.m., representatives of the CCC met with Jacklyn Marks, advisor to Commissioner Timothy Alan Simon, and Andrew Campbell, advisor to Commissioner Rachelle Chong, at the Commission's offices in San Francisco. The CCC Representatives in attendance were Beth Vaughan, Executive Director of the CCC, Shakil Rahman, a member of the CCC employed by Juniper Generation, David Hermanson, a member of the CCC employed by Primary Energy, Seth Hooper, a member of the CCC employed by Weyerhaeuser Company, R. Thomas Beach, consultant to the CCC, and Jerry R. Bloom and Joseph M. Karp of Winston & Strawn, LLP, counsel for the CCC.

At the meeting, the CCC representatives explained their position on the Alternate Proposed Decision ("Alternate PD") in the above-captioned proceedings. The CCC representatives stated that the Alternate PD is, in many respects, a significant improvement over the original Administrative Law Judge's Proposed Decision ("PD"). The CCC representatives stated the Alternate PD still places too much weight on the NP-15 and SP-15 spot market prices and proposed they account for no more than one third of the SRAC formula, with the existing administrative values making up the difference. The CCC representatives explained why the

Southern California Edison Company's ("SCE") administrative heat rate should be set at 9,705 Btu/kWh and that the record on the proceedings supports this value as reasonable. The CCC representatives proposed that the Commission require the utilities to employ, on an interim basis, the updated time of use ("TOU") factors adopted by the Commission for energy efficiency and demand response programs, and revisit these interim TOU factors in the technical workshop that the Alternate PD requires 60 days after the Commission's decision. Finally, the CCC representatives also explained that PG&E City-gate prices are much better indicators of gas prices actually being paid by electricity generators and should be used in PG&E'S new SRAC formula rather than the arbitrary 50/50 mix of Malin and Topock gas.

Respectfully submitted,



Joseph M. Karp
Winston & Strawn, LLP
101 California Street
39th Floor
San Francisco, California 9411
Telephone: 415-591-1000
Facsimile: 415-591-1400
jkarp@winston.com
Attorney for the California Cogeneration Council

September 14, 2007

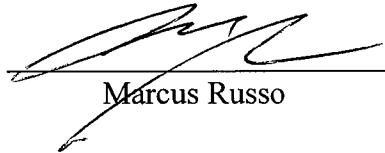
Certificate of Service

I hereby certify that I have this day served a copy of the

Notice of Ex Parte Communication of the California Cogeneration Council

on all known parties to R.04-04-003 and R.04-04-025 by sending a copy via electronic mail and by mailing a properly addressed copy by first-class mail with postage prepaid to each party named in the official service list without an electronic mail address.

Executed on September 14, 2007, at San Francisco, California.



Marcus Russo

CALIFORNIA PUBLIC UTILITIES COMMISSION

Service Lists

Proceeding: R0404003 - CPUC - PG&E, EDISON,

Filer: CPUC - PG&E, EDISON, SDG&E

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Parties

ALAN NOGEE
UNION OF CONCERNED SCIENTISTS
2 BRATTLE SQUARE
CAMBRIDGE, MA 02238

ROGER BERLINER
ATTORNEY AT LAW
BERLINER LAW PLLC
1747 PENNSYLVANIA AVE. N.W., STE 825
WASHINGTON, DC 20006

LISA M. DECKER
CONSTELLATION ENERGY GROUP, INC.
111 MARKET PLACE, SUITE 500
BALTIMORE, MD 21202

JAMES ROSS
RCS INC.
500 CHESTERFIELD CENTER, SUITE 320
CHESTERFIELD, MO 63017

TOM SKUPNJAK
CPG ENERGY
5211 BIRCH GLEN
RICHMOND, TX 77469

PAUL M. SEBY
MCKENNA LONG & ALDRIDGE LLP
1875 LAWRENCE STREET, SUITE 200
DENVER, CO 80202

TIMOTHY R. ODIL
MCKENNA LONG & ALDRIDGE LLP
1875 LAWRENCE STREET, SUITE 200
DENVER, CO 80202

MAUREEN LENNON
CALIFORNIA COGENERATION COUNCIL
595 EAST COLORADO BLVD., SUITE 623
PASADENA, CA 91101

DANIEL W. DOUGLASS
DOUGLASS & LIDDELL
21700 OXNARD STREET, SUITE 1030

BERJ K. PARSEGHIAN
ATTORNEY AT LAW
SOUTHERN CALIFORNIA EDISON COMPANY

WOODLAND HILLS, CA 91367-8102

2244 WALNUT GROVE AVENUE
ROSEMEAD, CA 91770

JAMES WOODRUFF
ATTORNEY AT LAW
SOUTHERN CALIFORNIA EDISON COMPANY
2244 WALNUT GROVE AVENUE
ROSEMEAD, CA 91770

JANET COMBS
ATTORNEY AT LAW
SOUTHERN CALIFORNIA EDISON COMPANY
2244 WALNUT GROVE AVENUE
ROSEMEAD, CA 91770

MICHAEL A. BACKSTROM
ATTORNEY AT LAW
SOUTHERN CALIFORNIA EDISON COMPANY
2244 WALNUT GROVE AVENUE
ROSEMEAD, CA 91770

DANIEL A. KING
ATTORNEY AT LAW
SEMPRA ENERGY RESOURCES
101 ASH STREET
SAN DIEGO, CA 92101

GEORGETTA J. BAKER
ATTORNEY AT LAW
SAN DIEGO GAS & ELECTRIC/SOCAL GAS
101 ASH STREET, HQ 13
SAN DIEGO, CA 92101

CRYSTAL NEEDHAM
SENIOR DIRECTOR, COUNSEL
EDISON MISSION ENERGY
18101 VON KARMAN AVE., STE 1700
IRVINE, DC 92612-1046

W. PHILLIP REESE
CALIFORNIA BIOMASS ENERGY ALLIANCE, LLC
PO BOX 8
SOMIS, CA 93066

MICHEL PETER FLORIO
ATTORNEY AT LAW
THE UTILITY REFORM NETWORK (TURN)
711 VAN NESS AVENUE, SUITE 350
SAN FRANCISCO, CA 94102

CLEVELAND LEE
CALIF PUBLIC UTILITIES COMMISSION
LEGAL DIVISION
ROOM 5122
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

KAREN P. PAULL
CALIF PUBLIC UTILITIES COMMISSION
LEGAL DIVISION
ROOM 4300
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

MARION PELEO
CALIF PUBLIC UTILITIES COMMISSION
LEGAL DIVISION
ROOM 4107
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

DEVRA WANG
NATURAL RESOURCES DEFENSE COUNCIL
111 SUTTER STREET, 20TH FLOOR
SAN FRANCISCO, CA 94104

EVELYN KAHL
ATTORNEY AT LAW
ALCANTAR & KAHL, LLP
120 MONTGOMERY STREET, SUITE 2200
SAN FRANCISCO, CA 94104

EDWARD V. KURZ
ATTORNEY AT LAW
PACIFIC GAS AND ELECTRIC COMPANY
77 BEALE STREET
SAN FRANCISCO, CA 94105

MARY A. GANDESBERY
ATTORNEY AT LAW
PACIFIC GAS AND ELECTRIC COMPANY
77 BEALE STREET
SAN FRANCISCO, CA 94105

SHIRLEY WOO
ATTORNEY AT LAW
PACIFIC GAS AND ELECTRIC COMPANY
77 BEALE STREET, B30A
SAN FRANCISCO, CA 94105

ANN G. GRIMALDI
MCKENNA LONG & ALDRIDGE LLP
101 CALIFORNIA STREET, 41ST FLOOR
SAN FRANCISCO, CA 94111

KAREN BOWEN
ATTORNEY AT LAW
WINSTON & STRAWN LLP
101 CALIFORNIA STREET
SAN FRANCISCO, CA 94111

JOSEPH M. KARP
ATTORNEY AT LAW
WINSTON & STRAWN LLP
101 CALIFORNIA STREET
SAN FRANCISCO, CA 94111-5802

JEFFREY P. GRAY
ATTORNEY AT LAW
DAVIS WRIGHT TREMAINE LLP
505 MONTGOMERY STREET, SUITE 800
SAN FRANCISCO, CA 94111-6533

ARTHUR L. HAUBENSTOCK
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 7442
SAN FRANCISCO, CA 94120

SARA STECK MYERS
ATTORNEY AT LAW
LAW OFFICES OF SARA STECK MYERS
122 - 28TH AVENUE
SAN FRANCISCO, CA 94121

ALAN PURVES
CALIFORNIA LANDFILL GAS COALITION
5717 BRISA STREET
LIVERMORE, CA 94550

RICK NOGER
PRAXAIR PLAINFIELD, INC.
SUITE 118
2678 BISHOP DRIVE
SAN RAMON, CA 94583

WILLIAM H. BOOTH
ATTORNEY AT LAW
LAW OFFICES OF WILLIAM H. BOOTH
1500 NEWELL AVENUE, 5TH FLOOR
WALNUT CREEK, CA 94596

ANDREW HOERNER
REDEFINING PROGRESS
1904 FRANKLIN STREET, 6TH FLOOR
OAKLAND, CA 94612

ERIC LARSEN
ENVIRONMENTAL SCIENTIST
RCM INTERNATIONAL, L.L.C.
PO BOX 4716
BERKELEY, CA 94704

GREGG MORRIS
GREEN POWER INSTITUTE
2039 SHATTUCK AVE., SUITE 402
BERKELEY, CA 94704

JOHN GALLOWAY
UNION OF CONCERNED SCIENTISTS
2397 SHATTUCK AVENUE, SUITE 203

NANCY RADER
CALIFORNIA WIND ENERGY ASSOCIATION
2560 NINTH STREET, SUITE 213A

BERKELEY, CA 94704

BERKELEY, CA 94710

TOM BEACH
CROSSBORDER ENERGY
2560 NINTH STREET, SUITE 213A
BERKELEY, CA 94710-2557

PATRICK MCDONNELL
AGLAND ENERGY SERVICES, INC.
2000 NICASIO VALLEY RD.
NICASIO, CA 94946

BARBARA GEORGE
WOMEN'S ENERGY MATTERS
PO BOX 548
FAIRFAX, CA 94978

MICHAEL E. BOYD
CALIFORNIANS FOR RENEWABLE ENERGY, INC.
5439 SOQUEL DRIVE
SOQUEL, CA 95073

JOY A. WARREN
ATTORNEY AT LAW
MODESTO IRRIGATION DISTRICT
1231 11TH STREET
MODESTO, CA 95354

BARBARA R. BARKOVICH
BARKOVICH & YAP, INC.
44810 ROSEWOOD TERRACE
MENDOCINO, CA 95460

WILLIAM B. MARCUS
JBS ENERGY, INC.
311 D STREET, SUITE A
WEST SACRAMENTO, CA 95608

RICHARD D. ELY
DAVIS HYDRO
27264 MEADOWBROOK DRIVE
DAVIS, CA 95618

GRANT A. ROSENBLUM
ATTORNEY AT LAW
CALIFORNIA INDEPENDENT SYSTEM OPERATOR
151 BLUE RAVINE ROAD
FOLSOM, CA 95630

STACIE FORD
CALIFORNIA ISO
151 BLUE RAVINE ROAD
FOLSOM, CA 95630

ANDREW B. BROWN
ATTORNEY AT LAW
ELLISON, SCHNEIDER & HARRIS, LLP
2015 H STREET
SACRAMENTO, CA 95814

DOUGLAS K. KERNER
ATTORNEY AT LAW
ELLISON, SCHNEIDER & HARRIS, LLP
2015 H STREET
SACRAMENTO, CA 95814

ANN L. TROWBRIDGE
ATTORNEY AT LAW
DAY CARTER MURPHY LLC
3620 AMERICAN RIVER DRIVE, SUITE 205
SACRAMENTO, CA 95864

MICHAEL ALCANTAR
ATTORNEY AT LAW
ALCANTAR & KAHL, LLP
1300 SW FIFTH AVENUE, SUITE 1750
PORTLAND, OR 97201

Information Only

CARLO ZORZOLI
ENEL NORTH AMERICA, INC.
1 TECH DRIVE, SUITE 220
ANDOVER, MA 01810

DANIEL V. GULINO
RIDGEWOOD POWER MANAGEMENT, LLC
947 LINWOOD AVENUE
RIDGEWOOD, NJ 07450

WILLIAM P. SHORT
RIDGEWOOD POWER MANAGEMENT, LLC
947 LINWOOD AVENUE
RIDGEWOOD, NJ 07450

RICHARD M. ESTEVES
SESCO, INC.
77 YACHT CLUB DRIVE, SUITE 1000
LAKE HOPATCONG, NJ 07849

CAROL A. SMOOTS
PERKINS COIE LLP
607 FOURTEENTH STREET, NW, SUITE 800
WASHINGTON, DC 20005

JOSEPH B. WILLIAMS
MCDERMOTT WILL & EMERGY LLP
600 THIRTEENTH STREET, N.W.
WASHINGTON, DC 20005-3096

MICHAEL A. YUFFEE
MCDERMOTT WILL & EMERY LLP
600 THIRTEENTH STREET, N.W.
WASHINGTON, DC 20005-3096

ANAN H. SOKKER
LEGAL ASSISTANT
CHADBOURNE & PARKE LLP
1200 NEW HAMPSHIRE AVE. NW
WASHINGTON, DC 20036

ROBERT SHAPIRO
CHADBOURNE & PARKE LLP
1200 NEW HAMPSHIRE AVE. NW
WASHINGTON, DC 20036

TANDY MCMANNES
SOLAR THERMAL ELECTRIC ALLIANCE
101 OCEAN BLUFFS BLVD.APT.504
JUPITER, FL 33477-7362

RALPH E. DENNIS
DIRECTOR, REGULATORY AFFAIRS
FELLON-MCCORD & ASSOCIATES
CONSTELLATION NEWENERGY-GAS DIVISION
9960 CORPORATE CAMPUS DRIVE, STE 2000
LOUISVILLE, KY 40223

DOUGLAS MCFARLAN
VP, PUBLIC AFFAIRS
MIDWEST GENERATION EME
440 SOUTH LASALLE ST., SUITE 3500
CHICAGO, IL 60605

BRIAN HANEY
UTILITY SYSTEM EFFICIENCIES, INC.
1000 BOURBON ST., 341
NEW ORLEANS, LA 70116

DAVID SAUL
COO
SOLEL, INC.
701 NORTH GREEN VALLEY PKY, STE 200
HENDERSON, NV 89074

CHRISTOPHER HILEN
ASSISTANT GENERAL COUNSEL
SIERRA PACIFIC POWER COMPANY
6100 NEIL ROAD
RENO, NV 89511

RASHA PRINCE
SOUTHERN CALIFORNIA GAS COMPANY
555 WEST 5TH STREET, GT14D6
LOS ANGELES, CA 90013

HOWARD W. CHOY
DIVISION MANAGER
LOS ANGELES COUNTY ISD, FACILITIES OPERA
1100 NORTH EASTERN AVENUE
LOS ANGELES, CA 90063

DAVID L. HUARD
ATTORNEY AT LAW
MANATT, PHELPS & PHILLIPS, LLP
11355 WEST OLYMPIC BOULEVARD
LOS ANGELES, CA 90064

RANDALL W. KEEN
MANATT, PHELPS & PHILLIPS, LLP
11355 WEST OLYMPICS BLVD.
LOS ANGELES, CA 90064

CURTIS KEBLER
GOLDMAN, SACHS & CO.
2121 AVENUE OF THE STARS
LOS ANGELES, CA 90067

SAM HITZ
CALIFORNIA CLIMATE ACTION REGISTRY
515 S. FLOWER STREET, STE 1640
LOS ANGELES, CA 90071

MICHAEL J. GIBBS
ICF CONSULTING
14724 VENTURA BLVD., NO. 1001
SHERMAN OAKS, CA 91403

CASE ADMINISTRATION
SOUTHERN CALIFORNIA EDISON COMPANY
LAW DEPARTMENT
2244 WALNUT GROVE AVENUE
ROSEMEAD, CA 91770

ERIC J. ISKEN
ATTORNEY AT LAW
SOUTHERN CALIFORNIA EDISON COMPANY
2244 WALNUT GROVE AVENUE
ROSEMEAD, CA 91770

GARY L. ALLEN
SOUTHERN CALIFORNIA EDISON
2244 WALNUT GROVE AVENUE
ROSEMEAD, CA 91770

LAURA GENAO
ATTORNEY AT LAW
SOUTHERN CALIFORNIA EDISON COMPANY
2244 WALNUT GROVE AVENUE
ROSEMEAD, CA 91770

LIZBETH MCDANNEL
2244 WALNUT GROVE AVE., QUAD 4D
ROSEMEAD, CA 91770

TORY S. WEBER
SOUTHERN CALIFORNIA EDISON COMPANY
2131 WALNUT GROVE AVENUE
ROSEMEAD, CA 91770

JOY C. YAMAGATA
SAN DIEGO GAS & ELECTRIC/SOCALGAS
8330 CENTURY PARK COURT

DON WOOD
PACIFIC ENERGY POLICY CENTER
4539 LEE AVENUE

SAN DIEGO, CA 91910

LA MESA, CA 91941

TIM HEMIG
NRG ENERGY, INC.
1819 ASTON AVENUE, SUITE 105
CARLSBAD, CA 92008

KEITH W. MELVILLE
ATTORNEY AT LAW
SEMPRA ENERGY
101 ASH STREET
SAN DIEGO, CA 92101

GREG BASS
SEMPRA ENERGY SOLUTIONS
101 ASH STREET. HQ09
SAN DIEGO, CA 92101-3017

DONALD C. LIDDELL, P.C.
DOUGLASS & LIDDELL
2928 2ND AVENUE
SAN DIEGO, CA 92103

SCOTT J. ANDERS
RESEARCH/ADMINISTRATIVE DIRECTOR
UNIVERSITY OF SAN DIEGO SCHOOL OF LAW
5998 ALCALA PARK
SAN DIEGO, CA 92110

WILLIAM E. POWERS
POWERS ENGINEERING
4452 PARK BLVD., STE. 209
SAN DIEGO, CA 92116

CENTRAL FILES
SAN DIEGO GAS & ELECTRIC
8330 CENTURY PARK COURT, CP31E
SAN DIEGO, CA 92123

CHUCK MANZUK
SAN DIEGO GAS AND ELECTRIC COMPANY
CP32D
8330 CENTURY PARK CT
SAN DIEGO, CA 92123

IRENE M. STILLINGS
EXECUTIVE DIRECTOR
CALIFORNIA CENTER FOR SUSTAINABLE ENERGY
8690 BALBOA AVE., STE. 100
SAN DIEGO, CA 92123

JOSEPH KLOBERDANZ
SAN DIEGO GAS & ELECTRIC COMPANY
8330 CENTURY PARK COURT
SAN DIEGO, CA 92123

DESPINA PAPAPOSTOLOU
SAN DIEGO GAS AND ELECTRIC COMPANY
8330 CENTURY PARK COURT-CP32H
SAN DIEGO, CA 92123-1530

JOHN W. LESLIE
ATTORNEY AT LAW
LUCE, FORWARD, HAMILTON & SCRIPPS, LLP
11988 EL CAMINO REAL, SUITE 200
SAN DIEGO, CA 92130

LAWRENCE KOSTRZEWA
REGIONAL VP, DEVELOPMENT
EDISON MISSION ENERGY
18101 VON KARMAN AVE., STE 1700
IRVINE, CA 92612-1046

PHILIP HERRINGTON
REGIONAL VP, BUSINESS MANAGEMENT
EDISON MISSION ENERGY
18101 VON KARMAN AVENUE, STE 1700
IRVINE, CA 92612-1046

JIM MCARTHUR
PLANT MANAGER
ELK HILLS POWER, LLC
PO BOX 460
4026 SKYLINE ROAD
TUPMAN, CA 93276

BARRY LOVELL
BERRY PETROLEUM COMPANY
5201 TRUXTUN AVE., SUITE 300
BAKERSFIELD, CA 93309

JANIS C. PEPPER
CLEAN POWER MARKETS, INC.
PO BOX 3206
LOS ALTOS, CA 94024

CHRIS KING
CALIFORNIA CONSUMER EMPOWERMENT
ONE TWIN DOLPHIN DRIVE
REDWOOD CITY, CA 94065

MARC D. JOSEPH
ATTORNEY AT LAW
ADAMS, BROADWELL, JOSEPH & CARDOZO
601 GATEWAY BLVD., STE. 1000
SOUTH SAN FRANCISCO, CA 94080

STEVEN A. LEFTON
VP POWER PLANT PROJECTS
APTECH ENGINEERING SERVICES INC.
PO BOX 3440
SUNNYVALE, CA 94089-3440

DIANE I. FELLMAN
LAW OFFICE OF DIANE I. FELLMAN
234 VAN NESS AVENUE
SAN FRANCISCO, CA 94102

MATTHEW FREEDMAN
ATTORNEY AT LAW
THE UTILITY REFORM NETWORK
711 VAN NESS AVENUE, SUITE 350
SAN FRANCISCO, CA 94102

NOEL OBIORA
CALIF PUBLIC UTILITIES COMMISSION
LEGAL DIVISION
ROOM 4107
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

KAREN TERRANOVA
ALCANTAR & KAHL, LLP
120 MONTGOMERY STREET, STE 2200
SAN FRANCISCO, CA 94104

NORA SHERIFF
ATTORNEY AT LAW
ALCANTAR & KAHL, LLP
120 MONTGOMERY STREET, SUITE 2200
SAN FRANCISCO, CA 94104

ROD AOKI
ATTORNEY AT LAW
ALCANTAR & KAHL, LLP
120 MONTGOMERY STREET, SUITE 2200
SAN FRANCISCO, CA 94104

CHRIS ANN DICKERSON, PHD
FREEMAN, SULLIVAN & CO.
100 SPEAR ST., 17/F
SAN FRANCISCO, CA 94105

ED LUCHA
PACIFIC GAS AND ELECTRIC COMPANY
77 BEALE STREET, MAIL CODE B9A
SAN FRANCISCO, CA 94105

MARC KOLB
PACIFIC GAS AND ELECTRIC COMPANY
77 BEALE STREET, B918

MARK R. HUFFMAN
ATTORNEY AT LAW
PACIFIC GAS AND ELECTRIC COMPANY

SAN FRANCISCO, CA 94105

77 BEALE STREET
SAN FRANCISCO, CA 94105

TOM JARMAN
PACIFIC GAS AND ELECTRIC COMPANY
77 BEALE STREET, MAIL CODE B9A
SAN FRANCISCO, CA 94105-1814

CALIFORNIA ENERGY MARKETS
517-B POTRERO AVE
SAN FRANCISCO, CA 94110

BRIAN T. CRAGG
ATTORNEY AT LAW
GOODIN MACBRIDE SQUERI RITCHIE & DAY
505 SANSOME STREET, SUITE 900
SAN FRANCISCO, CA 94111

JANINE L. SCANCARELLI
ATTORNEY AT LAW
FOLGER, LEVIN & KAHN, LLP
275 BATTERY STREET, 23RD FLOOR
SAN FRANCISCO, CA 94111

KARLEEN O'CONNOR
WINSTON & STRAWN LLP
101 CALIFORNIA STREET
SAN FRANCISCO, CA 94111

LISA A. COTTLE
ATTORNEY AT LAW
WINSTON & STRAWN LLP
101 CALIFORNIA STREET, 39TH FLOOR
SAN FRANCISCO, CA 94111

LORI ANNE DOLQUEIST
ATTORNEY AT LAW
STEEFEL, LEVITT AND WEISS
ONE EMBARCADERO CENTER, 30TH FLOOR
SAN FRANCISCO, CA 94111

REN ORENS
ENERGY AND ENVIRONMENTAL ECONOMICS
353 SACRAMENTO ST., STE 1700
SAN FRANCISCO, CA 94111

ROBERT B. GEX
ATTORNEY AT LAW,
DAVIS WRIGHT TREMAINE LLP
505 MONTGOMERY STREET, SUITE 800
SAN FRANCISCO, CA 94111-6533

STEVEN F. GREENWALD
ATTORNEY AT LAW
DAVIS WRIGHT TREMAINE, LLP
505 MONTGOMERY STREET, SUITE 800
SAN FRANCISCO, CA 94111-6533

CHARLES R. MIDDLEKAUFF
ATTORNEY
PACIFIC GAS & ELECTRIC COMPANY
PO BOX 7442 B30A
SAN FRANCISCO, CA 94120

LAW DEPARTMENT FILE ROOM
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 7442
SAN FRANCISCO, CA 94120-7442

MARGARET D. BROWN
ATTORNEY AT LAW
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 7442
SAN FRANCISCO, CA 94120-7442

EDWARD C. REMEDIOS
33 TOLEDO WAY
SAN FRANCISCO, CA 94123-2108

LYNNE BROWN
VICE PRESIDENT
CALIFORNIANS FOR RENEWABLE ENERGY, INC.
24 HARBOR ROAD
SAN FRANCISCO, CA 94124

MAURICE CAMPBELL
MEMBER
CALIFORNIANS FOR RENEWABLE ENERGY, INC.
1100 BRUSSELS ST.
SAN FRANCISCO, CA 94134

GRACE LIVINGSTON-NUNLEY
ASSISTANT PROJECT MANAGER
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 770000 MAIL CODE B9A
SAN FRANCISCO, CA 94177

KATHERINE RYZHAYA
PACIFIC GAS & ELECTRIC COMPANY
MAIL CODE B9A
PO BOX 770000
SAN FRANCISCO, CA 94177

NINA BUBNOVA
CASE MANAGER
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 770000, MAIL CODE B9A
SAN FRANCISCO, CA 94177

VALERIE J. WINN
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 770000, B9A
SAN FRANCISCO, CA 94177-0001

KENNETH E. ABREU
853 OVERLOOK COURT
SAN MATEO, CA 94403

MARK J. SMITH
FPL ENERGY
3195 DANVILLE BLVD, STE 201
ALAMO, CA 94507

BETH VAUGHAN
CALIFORNIA COGENERATION COUNCIL
4391 N. MARSH ELDER COURT
CONCORD, CA 94521

MARK HARRER
56 ST. TIMOTHY CT.
DANVILLE, CA 94526

ANDREW J. VAN HORN
VAN HORN CONSULTING
12 LIND COURT
ORINDA, CA 94563

ALEXANDRE B. MAKLER
CALPINE CORPORATION
3875 HOPYARD ROAD, SUITE 345
PLEASANTON, CA 94588

AVIS KOWALEWSKI
DIRECTOR OF REGULATORY AFFAIRS
CALPINE CORPORATION
3875 HOPYARD ROAD, SUITE 345
PLEASANTON, CA 94588

KEVIN DUGGAN
CALPINE COPORATION
3875 HOPYARD ROAD, SUITE 345
PLEASANTON, CA 94588

SARAH BESERRA
CALIFORNIA REPORTS
39 CASTLE HILL COURT

PETER W. HANSCHEN
ATTORNEY AT LAW
MORRISON & FOERSTER, LLP

VALLEJO, CA 94591

101 YGNACIO VALLEY ROAD, SUITE 450
WALNUT CREEK, CA 94596

J.A. SAVAGE
CALIFORNIA ENERGY CIRCUIT
3006 SHEFFIELD AVE.
OAKLAND, CA 94602

MRW & ASSOCIATES, INC.
1814 FRANKLIN STREET, SUITE 720
OAKLAND, CA 94612

DAVID HOWARTH
MRW & ASSOCIATES, INC.
1814 FRANKLIN STREET, SUITE 720
OAKLAND, CA 94612

WILLIAM A. MONSEN
MRW & ASSOCIATES, INC.
1814 FRANKLIN STREET, SUITE 720
OAKLAND, CA 94612

REED V. SCHMIDT
BARTLE WELLS ASSOCIATES
1889 ALCATRAZ AVENUE
BERKELEY, CA 94703-2714

JANICE LIN
MANAGING PARTNER
STRATEGEN CONSULTING LLC
146 VICENTE ROAD
BERKELEY, CA 94705

CHRISTOPHER J. MAYER
MODESTO IRRIGATION DISTRICT
PO BOX 4060
MODESTO, CA 95352-4060

ROBERT SARVEY
501 W. GRANTLINE RD
TRACY, CA 95376

JOHN C. GABRIELLI
GABRIELLI LAW OFFICE
430 D STREET
DAVIS, CA 95616

RICHARD MCCANN
M.CUBED
2655 PORTAGE BAY ROAD, SUITE 3
DAVIS, CA 95616

SHAWN SMALLWOOD, PH.D.
3108 FINCH ST.
DAVIS, CA 95616-0176

DAVID MORSE
1411 W, COVELL BLVD., SUITE 106-292
DAVIS, CA 95616-5934

BRIAN THEAKER
WILLIAMS POWER COMPANY
3161 KEN DEREK LANE
PLACERVILLE, CA 95667

DAVID REYNOLDS
MEMBER SERVICES MANAGER
NORTHERN CALIFORNIA POWER AGENCY
180 CIRBY WAY
ROSEVILLE, CA 95678-6420

STEVEN A. GREENBERG
DISTRIBUTED ENERGY STRATEGIES
4100 ORCHARD CANYON LANE
VACAVILLE, CA 95688

DOUG DAVIE
DAVIE CONSULTING, LLC
3390 BEATTY DRIVE
EL DORADO HILLS, CA 95762

DAN L. CARROLL
ATTORNEY AT LAW
DOWNEY BRAND, LLP
555 CAPITOL MALL, 10TH FLOOR
SACRAMENTO, CA 95814

EDWARD J TIEDEMANN
KRONICK MOSKOVITZ TIEDEMANN AND GIRARD
27TH FLOOR
400 CAPITOL MALL
SACRAMENTO, CA 95814

KEVIN WOODRUFF
WOODRUFF EXPERT SERVICES, INC.
1100 K STREET, SUITE 204
SACRAMENTO, CA 95814

STEVEN KELLY
POLICY DIRECTOR
INDEPENDENT ENERGY PRODUCERS ASSN
1215 K STREET, SUITE 900
SACRAMENTO, CA 95814

WILLIAM W. WESTERFIELD III
ATTORNEY AT LAW
ELLISON, SCHNEIDER & HARRIS LLP
2015 H STREET
SACRAMENTO, CA 95814

VIKKI WOOD
SACRAMENTO MUNICIPAL UTILITY DISTRICT
6301 S STREET, MS A204
SACRAMENTO, CA 95817-1899

RICHARD LAUCKHART
HENWOOD ENERGY SERVICES, INC.
2379 GATEWAY OAKS DRIVE, SUITE 200
SACRAMENTO, CA 95833

E. JESUS ARREDONDO
DIRECTOR, REGULATORY AND GOVERNMENTAL
NRG ENERGY, INC.
3741 GRESHAM LANE
SACRAMENTO, CA 95835

KAREN LINDH
LINDH & ASSOCIATES
7909 WALERGA ROAD, NO. 112, PMB 119
ANTELOPE, CA 95843

PATRICK HOLLEY
COVANTA ENERGY CORPORATION
2829 CHILDRESS DR.
ANDERSON, CA 96007-3563

ANNE FALCON
EES CONSULTING, INC.
570 KIRKLAND AVE
KIRKLAND, WA 98033

DONALD SCHOENBECK
RCS, INC.
900 WASHINGTON STREET, SUITE 780
VANCOUVER, WA 98660

State Service

PETER LAI
CALIF PUBLIC UTILITIES COMMISSION
ENERGY RESOURCES BRANCH
320 WEST 4TH STREET SUITE 500
LOS ANGELES, CA 90013

AMY C. YIP-KIKUGAWA
CALIF PUBLIC UTILITIES COMMISSION
DIVISION OF ADMINISTRATIVE LAW JUDGES
ROOM 5135
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

CAROL A. BROWN
CALIF PUBLIC UTILITIES COMMISSION
DIVISION OF ADMINISTRATIVE LAW JUDGES
ROOM 5103
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

CHARLYN A. HOOK
CALIF PUBLIC UTILITIES COMMISSION
LEGAL DIVISION
ROOM 4107
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

DONNA J. HINES
CALIF PUBLIC UTILITIES COMMISSION
ELECTRICITY RESOURCES & PRICING BRANCH
ROOM 4102
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

JERRY OH
CALIF PUBLIC UTILITIES COMMISSION
WATER BRANCH
ROOM 3200
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

JULIE HALLIGAN
CALIF PUBLIC UTILITIES COMMISSION
CONSUMER PROTECTION AND SAFETY DIVISION
ROOM 2203
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

MATTHEW DEAL
CALIF PUBLIC UTILITIES COMMISSION
EXECUTIVE DIVISION
ROOM 5215
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

MERIDETH STERKEL
CALIF PUBLIC UTILITIES COMMISSION
ENERGY DIVISION
AREA 4-A
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

MIKHAIL HARAMATI
CALIF PUBLIC UTILITIES COMMISSION
ENERGY RESOURCES BRANCH
AREA 4-A
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

ROBERT KINOSIAN
CALIF PUBLIC UTILITIES COMMISSION
EXECUTIVE DIVISION
ROOM 5202
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

ROBERT L. STRAUSS
CALIF PUBLIC UTILITIES COMMISSION
ENERGY DIVISION
AREA 4-A
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

SEPIDEH KHOSROWJAH
CALIF PUBLIC UTILITIES COMMISSION
ELECTRICITY RESOURCES & PRICING BRANCH
ROOM 4101
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

STEVE LINSEY
CALIF PUBLIC UTILITIES COMMISSION
CONSUMER ISSUES ANALYSIS BRANCH
ROOM 2013
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

SUDHEER GOKHALE
CALIF PUBLIC UTILITIES COMMISSION
ELECTRICITY RESOURCES & PRICING BRANCH
ROOM 4209

TERRIE D. PROSPER
CALIF PUBLIC UTILITIES COMMISSION
EXECUTIVE DIVISION
ROOM 5301

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

THERESA CHO
CALIF PUBLIC UTILITIES COMMISSION
EXECUTIVE DIVISION
ROOM 5207
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

THOMAS ROBERTS
CALIF PUBLIC UTILITIES COMMISSION
ELECTRICITY RESOURCES & PRICING BRANCH
ROOM 4205
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

TRACI BONE
CALIF PUBLIC UTILITIES COMMISSION
LEGAL DIVISION
ROOM 5206
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

SNULLER PRICE
ENERGY AND ENVIRONMENTAL ECONOMICS
101 MONTGOMERY, SUITE 1600
SAN FRANCISCO, CA 94104

BRADLEY MEISTER
CALIFORNIA ENERGY COMMISSION
1516 9TH STREET, MS-26
SACRAMENTO, CA 95814

DON SCHULTZ
CALIF PUBLIC UTILITIES COMMISSION
ELECTRICITY RESOURCES & PRICING BRANCH
770 L STREET, SUITE 1050
SACRAMENTO, CA 95814

KRIS G. CHISHOLM
CALIFORNIA ELECTRICITY OVERSIGHT BOARD
770 L STREET, SUITE 1250
SACRAMENTO, CA 95814

MICHAEL JASKE
CALIFORNIA ENERGY COMMISSION
1516 9TH STREET, MS-500
SACRAMENTO, CA 95814

WADE MCCARTNEY
CALIF PUBLIC UTILITIES COMMISSION
DIVISION OF STRATEGIC PLANNING
770 L STREET, SUITE 1050
SACRAMENTO, CA 95814

IRYNA KWASNY
DEPT. OF WATER RESOURCES-CERS DIVISION
3310 EL CAMINO AVE., STE.120
SACRAMENTO, CA 95821

MARY ANN MILLER
ELECTRICITY ANALYSIS OFFICE
CALIFORNIA ENERGY COMMISSION
1516 9TH STREET, MS 20
SACRAMENTO, CA 96814-5512

RON WETHERALL
ELECTRICITY ANALYSIS OFFICE
CALIFORNIA ENERGY COMMISSION
1516 9TH STREET MS 20
SACRAMENTO, CA 96814-5512

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Parties

ALAN NOGEE
UNION OF CONCERNED SCIENTISTS
2 BRATTLE SQUARE
CAMBRIDGE, MA 02238

ROGER BERLINER
ATTORNEY AT LAW
BERLINER LAW PLLC
1747 PENNSYLVANIA AVE. N.W., STE 825
WASHINGTON, DC 20006

LISA M. DECKER
CONSTELLATION ENERGY GROUP, INC.
111 MARKET PLACE, SUITE 500
BALTIMORE, MD 21202

JAMES ROSS
RCS INC.
500 CHESTERFIELD CENTER, SUITE 320
CHESTERFIELD, MO 63017

TOM SKUPNJAK
CPG ENERGY
5211 BIRCH GLEN
RICHMOND, TX 77469

PAUL M. SEBY
MCKENNA LONG & ALDRIDGE LLP
1875 LAWRENCE STREET, SUITE 200
DENVER, CO 80202

TIMOTHY R. ODIL
MCKENNA LONG & ALDRIDGE LLP
1875 LAWRENCE STREET, SUITE 200
DENVER, CO 80202

MAUREEN LENNON
CALIFORNIA COGENERATION COUNCIL
595 EAST COLORADO BLVD., SUITE 623
PASADENA, CA 91101

DANIEL W. DOUGLASS
DOUGLASS & LIDDELL
21700 OXNARD STREET, SUITE 1030

BERJ K. PARSEGHIAN
ATTORNEY AT LAW
SOUTHERN CALIFORNIA EDISON COMPANY

WOODLAND HILLS, CA 91367-8102

2244 WALNUT GROVE AVENUE
ROSEMEAD, CA 91770

JAMES WOODRUFF
ATTORNEY AT LAW
SOUTHERN CALIFORNIA EDISON COMPANY
2244 WALNUT GROVE AVENUE
ROSEMEAD, CA 91770

JANET COMBS
ATTORNEY AT LAW
SOUTHERN CALIFORNIA EDISON COMPANY
2244 WALNUT GROVE AVENUE
ROSEMEAD, CA 91770

MICHAEL A. BACKSTROM
ATTORNEY AT LAW
SOUTHERN CALIFORNIA EDISON COMPANY
2244 WALNUT GROVE AVENUE
ROSEMEAD, CA 91770

DANIEL A. KING
ATTORNEY AT LAW
SEMPRA ENERGY RESOURCES
101 ASH STREET
SAN DIEGO, CA 92101

GEORGETTA J. BAKER
ATTORNEY AT LAW
SAN DIEGO GAS & ELECTRIC/SOCAL GAS
101 ASH STREET, HQ 13
SAN DIEGO, CA 92101

CRYSTAL NEEDHAM
SENIOR DIRECTOR, COUNSEL
EDISON MISSION ENERGY
18101 VON KARMAN AVE., STE 1700
IRVINE, DC 92612-1046

W. PHILLIP REESE
CALIFORNIA BIOMASS ENERGY ALLIANCE, LLC
PO BOX 8
SOMIS, CA 93066

MICHEL PETER FLORIO
ATTORNEY AT LAW
THE UTILITY REFORM NETWORK (TURN)
711 VAN NESS AVENUE, SUITE 350
SAN FRANCISCO, CA 94102

CLEVELAND LEE
CALIF PUBLIC UTILITIES COMMISSION
LEGAL DIVISION
ROOM 5122
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

KAREN P. PAULL
CALIF PUBLIC UTILITIES COMMISSION
LEGAL DIVISION
ROOM 4300
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

MARION PELEO
CALIF PUBLIC UTILITIES COMMISSION
LEGAL DIVISION
ROOM 4107
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

DEVRA WANG
NATURAL RESOURCES DEFENSE COUNCIL
111 SUTTER STREET, 20TH FLOOR
SAN FRANCISCO, CA 94104

EVELYN KAHL
ATTORNEY AT LAW
ALCANTAR & KAHL, LLP
120 MONTGOMERY STREET, SUITE 2200
SAN FRANCISCO, CA 94104

EDWARD V. KURZ
ATTORNEY AT LAW
PACIFIC GAS AND ELECTRIC COMPANY
77 BEALE STREET
SAN FRANCISCO, CA 94105

MARY A. GANDESBERY
ATTORNEY AT LAW
PACIFIC GAS AND ELECTRIC COMPANY
77 BEALE STREET
SAN FRANCISCO, CA 94105

SHIRLEY WOO
ATTORNEY AT LAW
PACIFIC GAS AND ELECTRIC COMPANY
77 BEALE STREET, B30A
SAN FRANCISCO, CA 94105

ANN G. GRIMALDI
MCKENNA LONG & ALDRIDGE LLP
101 CALIFORNIA STREET, 41ST FLOOR
SAN FRANCISCO, CA 94111

KAREN BOWEN
ATTORNEY AT LAW
WINSTON & STRAWN LLP
101 CALIFORNIA STREET
SAN FRANCISCO, CA 94111

JOSEPH M. KARP
ATTORNEY AT LAW
WINSTON & STRAWN LLP
101 CALIFORNIA STREET
SAN FRANCISCO, CA 94111-5802

JEFFREY P. GRAY
ATTORNEY AT LAW
DAVIS WRIGHT TREMAINE LLP
505 MONTGOMERY STREET, SUITE 800
SAN FRANCISCO, CA 94111-6533

ARTHUR L. HAUBENSTOCK
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 7442
SAN FRANCISCO, CA 94120

SARA STECK MYERS
ATTORNEY AT LAW
LAW OFFICES OF SARA STECK MYERS
122 - 28TH AVENUE
SAN FRANCISCO, CA 94121

ALAN PURVES
CALIFORNIA LANDFILL GAS COALITION
5717 BRISA STREET
LIVERMORE, CA 94550

RICK NOGER
PRAXAIR PLAINFIELD, INC.
SUITE 118
2678 BISHOP DRIVE
SAN RAMON, CA 94583

WILLIAM H. BOOTH
ATTORNEY AT LAW
LAW OFFICES OF WILLIAM H. BOOTH
1500 NEWELL AVENUE, 5TH FLOOR
WALNUT CREEK, CA 94596

ANDREW HOERNER
REDEFINING PROGRESS
1904 FRANKLIN STREET, 6TH FLOOR
OAKLAND, CA 94612

ERIC LARSEN
ENVIRONMENTAL SCIENTIST
RCM INTERNATIONAL, L.L.C.
PO BOX 4716
BERKELEY, CA 94704

GREGG MORRIS
GREEN POWER INSTITUTE
2039 SHATTUCK AVE., SUITE 402
BERKELEY, CA 94704

JOHN GALLOWAY
UNION OF CONCERNED SCIENTISTS
2397 SHATTUCK AVENUE, SUITE 203

NANCY RADER
CALIFORNIA WIND ENERGY ASSOCIATION
2560 NINTH STREET, SUITE 213A

BERKELEY, CA 94704

BERKELEY, CA 94710

TOM BEACH
CROSSBORDER ENERGY
2560 NINTH STREET, SUITE 213A
BERKELEY, CA 94710-2557

PATRICK MCDONNELL
AGLAND ENERGY SERVICES, INC.
2000 NICASIO VALLEY RD.
NICASIO, CA 94946

BARBARA GEORGE
WOMEN'S ENERGY MATTERS
PO BOX 548
FAIRFAX, CA 94978

MICHAEL E. BOYD
CALIFORNIANS FOR RENEWABLE ENERGY, INC.
5439 SOQUEL DRIVE
SOQUEL, CA 95073

JOY A. WARREN
ATTORNEY AT LAW
MODESTO IRRIGATION DISTRICT
1231 11TH STREET
MODESTO, CA 95354

BARBARA R. BARKOVICH
BARKOVICH & YAP, INC.
44810 ROSEWOOD TERRACE
MENDOCINO, CA 95460

WILLIAM B. MARCUS
JBS ENERGY, INC.
311 D STREET, SUITE A
WEST SACRAMENTO, CA 95608

RICHARD D. ELY
DAVIS HYDRO
27264 MEADOWBROOK DRIVE
DAVIS, CA 95618

GRANT A. ROSENBLUM
ATTORNEY AT LAW
CALIFORNIA INDEPENDENT SYSTEM OPERATOR
151 BLUE RAVINE ROAD
FOLSOM, CA 95630

STACIE FORD
CALIFORNIA ISO
151 BLUE RAVINE ROAD
FOLSOM, CA 95630

ANDREW B. BROWN
ATTORNEY AT LAW
ELLISON, SCHNEIDER & HARRIS, LLP
2015 H STREET
SACRAMENTO, CA 95814

DOUGLAS K. KERNER
ATTORNEY AT LAW
ELLISON, SCHNEIDER & HARRIS, LLP
2015 H STREET
SACRAMENTO, CA 95814

ANN L. TROWBRIDGE
ATTORNEY AT LAW
DAY CARTER MURPHY LLC
3620 AMERICAN RIVER DRIVE, SUITE 205
SACRAMENTO, CA 95864

MICHAEL ALCANTAR
ATTORNEY AT LAW
ALCANTAR & KAHL, LLP
1300 SW FIFTH AVENUE, SUITE 1750
PORTLAND, OR 97201

Information Only

CARLO ZORZOLI
ENEL NORTH AMERICA, INC.
1 TECH DRIVE, SUITE 220
ANDOVER, MA 01810

DANIEL V. GULINO
RIDGEWOOD POWER MANAGEMENT, LLC
947 LINWOOD AVENUE
RIDGEWOOD, NJ 07450

WILLIAM P. SHORT
RIDGEWOOD POWER MANAGEMENT, LLC
947 LINWOOD AVENUE
RIDGEWOOD, NJ 07450

RICHARD M. ESTEVES
SESCO, INC.
77 YACHT CLUB DRIVE, SUITE 1000
LAKE HOPATCONG, NJ 07849

CAROL A. SMOOTS
PERKINS COIE LLP
607 FOURTEENTH STREET, NW, SUITE 800
WASHINGTON, DC 20005

JOSEPH B. WILLIAMS
MCDERMOTT WILL & EMERGY LLP
600 THIRTEENTH STREET, N.W.
WASHINGTON, DC 20005-3096

MICHAEL A. YUFFEE
MCDERMOTT WILL & EMERY LLP
600 THIRTEENTH STREET, N.W.
WASHINGTON, DC 20005-3096

ANAN H. SOKKER
LEGAL ASSISTANT
CHADBOURNE & PARKE LLP
1200 NEW HAMPSHIRE AVE. NW
WASHINGTON, DC 20036

ROBERT SHAPIRO
CHADBOURNE & PARKE LLP
1200 NEW HAMPSHIRE AVE. NW
WASHINGTON, DC 20036

TANDY MCMANNES
SOLAR THERMAL ELECTRIC ALLIANCE
101 OCEAN BLUFFS BLVD.APT.504
JUPITER, FL 33477-7362

RALPH E. DENNIS
DIRECTOR, REGULATORY AFFAIRS
FELLON-MCCORD & ASSOCIATES
CONSTELLATION NEWENERGY-GAS DIVISION
9960 CORPORATE CAMPUS DRIVE, STE 2000
LOUISVILLE, KY 40223

DOUGLAS MCFARLAN
VP, PUBLIC AFFAIRS
MIDWEST GENERATION EME
440 SOUTH LASALLE ST., SUITE 3500
CHICAGO, IL 60605

BRIAN HANEY
UTILITY SYSTEM EFFICIENCIES, INC.
1000 BOURBON ST., 341
NEW ORLEANS, LA 70116

DAVID SAUL
COO
SOLEL, INC.
701 NORTH GREEN VALLEY PKY, STE 200
HENDERSON, NV 89074

CHRISTOPHER HILEN
ASSISTANT GENERAL COUNSEL
SIERRA PACIFIC POWER COMPANY
6100 NEIL ROAD
RENO, NV 89511

RASHA PRINCE
SOUTHERN CALIFORNIA GAS COMPANY
555 WEST 5TH STREET, GT14D6
LOS ANGELES, CA 90013

HOWARD W. CHOY
DIVISION MANAGER
LOS ANGELES COUNTY ISD, FACILITIES OPERA
1100 NORTH EASTERN AVENUE
LOS ANGELES, CA 90063

DAVID L. HUARD
ATTORNEY AT LAW
MANATT, PHELPS & PHILLIPS, LLP
11355 WEST OLYMPIC BOULEVARD
LOS ANGELES, CA 90064

RANDALL W. KEEN
MANATT, PHELPS & PHILLIPS, LLP
11355 WEST OLYMPICS BLVD.
LOS ANGELES, CA 90064

CURTIS KEBLER
GOLDMAN, SACHS & CO.
2121 AVENUE OF THE STARS
LOS ANGELES, CA 90067

SAM HITZ
CALIFORNIA CLIMATE ACTION REGISTRY
515 S. FLOWER STREET, STE 1640
LOS ANGELES, CA 90071

MICHAEL J. GIBBS
ICF CONSULTING
14724 VENTURA BLVD., NO. 1001
SHERMAN OAKS, CA 91403

CASE ADMINISTRATION
SOUTHERN CALIFORNIA EDISON COMPANY
LAW DEPARTMENT
2244 WALNUT GROVE AVENUE
ROSEMEAD, CA 91770

ERIC J. ISKEN
ATTORNEY AT LAW
SOUTHERN CALIFORNIA EDISON COMPANY
2244 WALNUT GROVE AVENUE
ROSEMEAD, CA 91770

GARY L. ALLEN
SOUTHERN CALIFORNIA EDISON
2244 WALNUT GROVE AVENUE
ROSEMEAD, CA 91770

LAURA GENAO
ATTORNEY AT LAW
SOUTHERN CALIFORNIA EDISON COMPANY
2244 WALNUT GROVE AVENUE
ROSEMEAD, CA 91770

LIZBETH MCDANNEL
2244 WALNUT GROVE AVE., QUAD 4D
ROSEMEAD, CA 91770

TORY S. WEBER
SOUTHERN CALIFORNIA EDISON COMPANY
2131 WALNUT GROVE AVENUE
ROSEMEAD, CA 91770

JOY C. YAMAGATA
SAN DIEGO GAS & ELECTRIC/SOCALGAS
8330 CENTURY PARK COURT

DON WOOD
PACIFIC ENERGY POLICY CENTER
4539 LEE AVENUE

SAN DIEGO, CA 91910

LA MESA, CA 91941

TIM HEMIG
NRG ENERGY, INC.
1819 ASTON AVENUE, SUITE 105
CARLSBAD, CA 92008

KEITH W. MELVILLE
ATTORNEY AT LAW
SEMPRA ENERGY
101 ASH STREET
SAN DIEGO, CA 92101

GREG BASS
SEMPRA ENERGY SOLUTIONS
101 ASH STREET. HQ09
SAN DIEGO, CA 92101-3017

DONALD C. LIDDELL, P.C.
DOUGLASS & LIDDELL
2928 2ND AVENUE
SAN DIEGO, CA 92103

SCOTT J. ANDERS
RESEARCH/ADMINISTRATIVE DIRECTOR
UNIVERSITY OF SAN DIEGO SCHOOL OF LAW
5998 ALCALA PARK
SAN DIEGO, CA 92110

WILLIAM E. POWERS
POWERS ENGINEERING
4452 PARK BLVD., STE. 209
SAN DIEGO, CA 92116

CENTRAL FILES
SAN DIEGO GAS & ELECTRIC
8330 CENTURY PARK COURT, CP31E
SAN DIEGO, CA 92123

CHUCK MANZUK
SAN DIEGO GAS AND ELECTRIC COMPANY
CP32D
8330 CENTURY PARK CT
SAN DIEGO, CA 92123

IRENE M. STILLINGS
EXECUTIVE DIRECTOR
CALIFORNIA CENTER FOR SUSTAINABLE ENERGY
8690 BALBOA AVE., STE. 100
SAN DIEGO, CA 92123

JOSEPH KLOBERDANZ
SAN DIEGO GAS & ELECTRIC COMPANY
8330 CENTURY PARK COURT
SAN DIEGO, CA 92123

DESPINA PAPAPOSTOLOU
SAN DIEGO GAS AND ELECTRIC COMPANY
8330 CENTURY PARK COURT-CP32H
SAN DIEGO, CA 92123-1530

JOHN W. LESLIE
ATTORNEY AT LAW
LUCE, FORWARD, HAMILTON & SCRIPPS, LLP
11988 EL CAMINO REAL, SUITE 200
SAN DIEGO, CA 92130

LAWRENCE KOSTRZEWA
REGIONAL VP, DEVELOPMENT
EDISON MISSION ENERGY
18101 VON KARMAN AVE., STE 1700
IRVINE, CA 92612-1046

PHILIP HERRINGTON
REGIONAL VP, BUSINESS MANAGEMENT
EDISON MISSION ENERGY
18101 VON KARMAN AVENUE, STE 1700
IRVINE, CA 92612-1046

JIM MCARTHUR
PLANT MANAGER
ELK HILLS POWER, LLC
PO BOX 460
4026 SKYLINE ROAD
TUPMAN, CA 93276

BARRY LOVELL
BERRY PETROLEUM COMPANY
5201 TRUXTUN AVE., SUITE 300
BAKERSFIELD, CA 93309

JANIS C. PEPPER
CLEAN POWER MARKETS, INC.
PO BOX 3206
LOS ALTOS, CA 94024

CHRIS KING
CALIFORNIA CONSUMER EMPOWERMENT
ONE TWIN DOLPHIN DRIVE
REDWOOD CITY, CA 94065

MARC D. JOSEPH
ATTORNEY AT LAW
ADAMS, BROADWELL, JOSEPH & CARDOZO
601 GATEWAY BLVD., STE. 1000
SOUTH SAN FRANCISCO, CA 94080

STEVEN A. LEFTON
VP POWER PLANT PROJECTS
APTECH ENGINEERING SERVICES INC.
PO BOX 3440
SUNNYVALE, CA 94089-3440

DIANE I. FELLMAN
LAW OFFICE OF DIANE I. FELLMAN
234 VAN NESS AVENUE
SAN FRANCISCO, CA 94102

MATTHEW FREEDMAN
ATTORNEY AT LAW
THE UTILITY REFORM NETWORK
711 VAN NESS AVENUE, SUITE 350
SAN FRANCISCO, CA 94102

NOEL OBIORA
CALIF PUBLIC UTILITIES COMMISSION
LEGAL DIVISION
ROOM 4107
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

KAREN TERRANOVA
ALCANTAR & KAHL, LLP
120 MONTGOMERY STREET, STE 2200
SAN FRANCISCO, CA 94104

NORA SHERIFF
ATTORNEY AT LAW
ALCANTAR & KAHL, LLP
120 MONTGOMERY STREET, SUITE 2200
SAN FRANCISCO, CA 94104

ROD AOKI
ATTORNEY AT LAW
ALCANTAR & KAHL, LLP
120 MONTGOMERY STREET, SUITE 2200
SAN FRANCISCO, CA 94104

CHRIS ANN DICKERSON, PHD
FREEMAN, SULLIVAN & CO.
100 SPEAR ST., 17/F
SAN FRANCISCO, CA 94105

ED LUCHA
PACIFIC GAS AND ELECTRIC COMPANY
77 BEALE STREET, MAIL CODE B9A
SAN FRANCISCO, CA 94105

MARC KOLB
PACIFIC GAS AND ELECTRIC COMPANY
77 BEALE STREET, B918

MARK R. HUFFMAN
ATTORNEY AT LAW
PACIFIC GAS AND ELECTRIC COMPANY

SAN FRANCISCO, CA 94105

77 BEALE STREET
SAN FRANCISCO, CA 94105

TOM JARMAN
PACIFIC GAS AND ELECTRIC COMPANY
77 BEALE STREET, MAIL CODE B9A
SAN FRANCISCO, CA 94105-1814

CALIFORNIA ENERGY MARKETS
517-B POTRERO AVE
SAN FRANCISCO, CA 94110

BRIAN T. CRAGG
ATTORNEY AT LAW
GOODIN MACBRIDE SQUERI RITCHIE & DAY
505 SANSOME STREET, SUITE 900
SAN FRANCISCO, CA 94111

JANINE L. SCANCARELLI
ATTORNEY AT LAW
FOLGER, LEVIN & KAHN, LLP
275 BATTERY STREET, 23RD FLOOR
SAN FRANCISCO, CA 94111

KARLEEN O'CONNOR
WINSTON & STRAWN LLP
101 CALIFORNIA STREET
SAN FRANCISCO, CA 94111

LISA A. COTTLE
ATTORNEY AT LAW
WINSTON & STRAWN LLP
101 CALIFORNIA STREET, 39TH FLOOR
SAN FRANCISCO, CA 94111

LORI ANNE DOLQUEIST
ATTORNEY AT LAW
STEEFEL, LEVITT AND WEISS
ONE EMBARCADERO CENTER, 30TH FLOOR
SAN FRANCISCO, CA 94111

REN ORENS
ENERGY AND ENVIRONMENTAL ECONOMICS
353 SACRAMENTO ST., STE 1700
SAN FRANCISCO, CA 94111

ROBERT B. GEX
ATTORNEY AT LAW,
DAVIS WRIGHT TREMAINE LLP
505 MONTGOMERY STREET, SUITE 800
SAN FRANCISCO, CA 94111-6533

STEVEN F. GREENWALD
ATTORNEY AT LAW
DAVIS WRIGHT TREMAINE, LLP
505 MONTGOMERY STREET, SUITE 800
SAN FRANCISCO, CA 94111-6533

CHARLES R. MIDDLEKAUFF
ATTORNEY
PACIFIC GAS & ELECTRIC COMPANY
PO BOX 7442 B30A
SAN FRANCISCO, CA 94120

LAW DEPARTMENT FILE ROOM
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 7442
SAN FRANCISCO, CA 94120-7442

MARGARET D. BROWN
ATTORNEY AT LAW
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 7442
SAN FRANCISCO, CA 94120-7442

EDWARD C. REMEDIOS
33 TOLEDO WAY
SAN FRANCISCO, CA 94123-2108

LYNNE BROWN
VICE PRESIDENT
CALIFORNIANS FOR RENEWABLE ENERGY, INC.
24 HARBOR ROAD
SAN FRANCISCO, CA 94124

MAURICE CAMPBELL
MEMBER
CALIFORNIANS FOR RENEWABLE ENERGY, INC.
1100 BRUSSELS ST.
SAN FRANCISCO, CA 94134

GRACE LIVINGSTON-NUNLEY
ASSISTANT PROJECT MANAGER
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 770000 MAIL CODE B9A
SAN FRANCISCO, CA 94177

KATHERINE RYZHAYA
PACIFIC GAS & ELECTRIC COMPANY
MAIL CODE B9A
PO BOX 770000
SAN FRANCISCO, CA 94177

NINA BUBNOVA
CASE MANAGER
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 770000, MAIL CODE B9A
SAN FRANCISCO, CA 94177

VALERIE J. WINN
PACIFIC GAS AND ELECTRIC COMPANY
PO BOX 770000, B9A
SAN FRANCISCO, CA 94177-0001

KENNETH E. ABREU
853 OVERLOOK COURT
SAN MATEO, CA 94403

MARK J. SMITH
FPL ENERGY
3195 DANVILLE BLVD, STE 201
ALAMO, CA 94507

BETH VAUGHAN
CALIFORNIA COGENERATION COUNCIL
4391 N. MARSH ELDER COURT
CONCORD, CA 94521

MARK HARRER
56 ST. TIMOTHY CT.
DANVILLE, CA 94526

ANDREW J. VAN HORN
VAN HORN CONSULTING
12 LIND COURT
ORINDA, CA 94563

ALEXANDRE B. MAKLER
CALPINE CORPORATION
3875 HOPYARD ROAD, SUITE 345
PLEASANTON, CA 94588

AVIS KOWALEWSKI
DIRECTOR OF REGULATORY AFFAIRS
CALPINE CORPORATION
3875 HOPYARD ROAD, SUITE 345
PLEASANTON, CA 94588

KEVIN DUGGAN
CALPINE COPORATION
3875 HOPYARD ROAD, SUITE 345
PLEASANTON, CA 94588

SARAH BESERRA
CALIFORNIA REPORTS
39 CASTLE HILL COURT

PETER W. HANSCHEN
ATTORNEY AT LAW
MORRISON & FOERSTER, LLP

VALLEJO, CA 94591

101 YGNACIO VALLEY ROAD, SUITE 450
WALNUT CREEK, CA 94596

J.A. SAVAGE
CALIFORNIA ENERGY CIRCUIT
3006 SHEFFIELD AVE.
OAKLAND, CA 94602

MRW & ASSOCIATES, INC.
1814 FRANKLIN STREET, SUITE 720
OAKLAND, CA 94612

DAVID HOWARTH
MRW & ASSOCIATES, INC.
1814 FRANKLIN STREET, SUITE 720
OAKLAND, CA 94612

WILLIAM A. MONSEN
MRW & ASSOCIATES, INC.
1814 FRANKLIN STREET, SUITE 720
OAKLAND, CA 94612

REED V. SCHMIDT
BARTLE WELLS ASSOCIATES
1889 ALCATRAZ AVENUE
BERKELEY, CA 94703-2714

JANICE LIN
MANAGING PARTNER
STRATEGEN CONSULTING LLC
146 VICENTE ROAD
BERKELEY, CA 94705

CHRISTOPHER J. MAYER
MODESTO IRRIGATION DISTRICT
PO BOX 4060
MODESTO, CA 95352-4060

ROBERT SARVEY
501 W. GRANTLINE RD
TRACY, CA 95376

JOHN C. GABRIELLI
GABRIELLI LAW OFFICE
430 D STREET
DAVIS, CA 95616

RICHARD MCCANN
M.CUBED
2655 PORTAGE BAY ROAD, SUITE 3
DAVIS, CA 95616

SHAWN SMALLWOOD, PH.D.
3108 FINCH ST.
DAVIS, CA 95616-0176

DAVID MORSE
1411 W, COVELL BLVD., SUITE 106-292
DAVIS, CA 95616-5934

BRIAN THEAKER
WILLIAMS POWER COMPANY
3161 KEN DEREK LANE
PLACERVILLE, CA 95667

DAVID REYNOLDS
MEMBER SERVICES MANAGER
NORTHERN CALIFORNIA POWER AGENCY
180 CIRBY WAY
ROSEVILLE, CA 95678-6420

STEVEN A. GREENBERG
DISTRIBUTED ENERGY STRATEGIES
4100 ORCHARD CANYON LANE
VACAVILLE, CA 95688

DOUG DAVIE
DAVIE CONSULTING, LLC
3390 BEATTY DRIVE
EL DORADO HILLS, CA 95762

DAN L. CARROLL
ATTORNEY AT LAW
DOWNEY BRAND, LLP
555 CAPITOL MALL, 10TH FLOOR
SACRAMENTO, CA 95814

EDWARD J TIEDEMANN
KRONICK MOSKOVITZ TIEDEMANN AND GIRARD
27TH FLOOR
400 CAPITOL MALL
SACRAMENTO, CA 95814

KEVIN WOODRUFF
WOODRUFF EXPERT SERVICES, INC.
1100 K STREET, SUITE 204
SACRAMENTO, CA 95814

STEVEN KELLY
POLICY DIRECTOR
INDEPENDENT ENERGY PRODUCERS ASSN
1215 K STREET, SUITE 900
SACRAMENTO, CA 95814

WILLIAM W. WESTERFIELD III
ATTORNEY AT LAW
ELLISON, SCHNEIDER & HARRIS LLP
2015 H STREET
SACRAMENTO, CA 95814

VIKKI WOOD
SACRAMENTO MUNICIPAL UTILITY DISTRICT
6301 S STREET, MS A204
SACRAMENTO, CA 95817-1899

RICHARD LAUCKHART
HENWOOD ENERGY SERVICES, INC.
2379 GATEWAY OAKS DRIVE, SUITE 200
SACRAMENTO, CA 95833

E. JESUS ARREDONDO
DIRECTOR, REGULATORY AND GOVERNMENTAL
NRG ENERGY, INC.
3741 GRESHAM LANE
SACRAMENTO, CA 95835

KAREN LINDH
LINDH & ASSOCIATES
7909 WALERGA ROAD, NO. 112, PMB 119
ANTELOPE, CA 95843

PATRICK HOLLEY
COVANTA ENERGY CORPORATION
2829 CHILDRESS DR.
ANDERSON, CA 96007-3563

ANNE FALCON
EES CONSULTING, INC.
570 KIRKLAND AVE
KIRKLAND, WA 98033

DONALD SCHOENBECK
RCS, INC.
900 WASHINGTON STREET, SUITE 780
VANCOUVER, WA 98660

State Service

PETER LAI
CALIF PUBLIC UTILITIES COMMISSION
ENERGY RESOURCES BRANCH
320 WEST 4TH STREET SUITE 500
LOS ANGELES, CA 90013

AMY C. YIP-KIKUGAWA
CALIF PUBLIC UTILITIES COMMISSION
DIVISION OF ADMINISTRATIVE LAW JUDGES
ROOM 5135
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

CAROL A. BROWN
CALIF PUBLIC UTILITIES COMMISSION
DIVISION OF ADMINISTRATIVE LAW JUDGES
ROOM 5103
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

CHARLYN A. HOOK
CALIF PUBLIC UTILITIES COMMISSION
LEGAL DIVISION
ROOM 4107
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

DONNA J. HINES
CALIF PUBLIC UTILITIES COMMISSION
ELECTRICITY RESOURCES & PRICING BRANCH
ROOM 4102
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

JERRY OH
CALIF PUBLIC UTILITIES COMMISSION
WATER BRANCH
ROOM 3200
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

JULIE HALLIGAN
CALIF PUBLIC UTILITIES COMMISSION
CONSUMER PROTECTION AND SAFETY DIVISION
ROOM 2203
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

MATTHEW DEAL
CALIF PUBLIC UTILITIES COMMISSION
EXECUTIVE DIVISION
ROOM 5215
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

MERIDETH STERKEL
CALIF PUBLIC UTILITIES COMMISSION
ENERGY DIVISION
AREA 4-A
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

MIKHAIL HARAMATI
CALIF PUBLIC UTILITIES COMMISSION
ENERGY RESOURCES BRANCH
AREA 4-A
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

ROBERT KINOSIAN
CALIF PUBLIC UTILITIES COMMISSION
EXECUTIVE DIVISION
ROOM 5202
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

ROBERT L. STRAUSS
CALIF PUBLIC UTILITIES COMMISSION
ENERGY DIVISION
AREA 4-A
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

SEPIDEH KHOSROWJAH
CALIF PUBLIC UTILITIES COMMISSION
ELECTRICITY RESOURCES & PRICING BRANCH
ROOM 4101
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

STEVE LINSEY
CALIF PUBLIC UTILITIES COMMISSION
CONSUMER ISSUES ANALYSIS BRANCH
ROOM 2013
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

SUDHEER GOKHALE
CALIF PUBLIC UTILITIES COMMISSION
ELECTRICITY RESOURCES & PRICING BRANCH
ROOM 4209

TERRIE D. PROSPER
CALIF PUBLIC UTILITIES COMMISSION
EXECUTIVE DIVISION
ROOM 5301

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

THERESA CHO
CALIF PUBLIC UTILITIES COMMISSION
EXECUTIVE DIVISION
ROOM 5207
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

THOMAS ROBERTS
CALIF PUBLIC UTILITIES COMMISSION
ELECTRICITY RESOURCES & PRICING BRANCH
ROOM 4205
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

TRACI BONE
CALIF PUBLIC UTILITIES COMMISSION
LEGAL DIVISION
ROOM 5206
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

SNULLER PRICE
ENERGY AND ENVIRONMENTAL ECONOMICS
101 MONTGOMERY, SUITE 1600
SAN FRANCISCO, CA 94104

BRADLEY MEISTER
CALIFORNIA ENERGY COMMISSION
1516 9TH STREET, MS-26
SACRAMENTO, CA 95814

DON SCHULTZ
CALIF PUBLIC UTILITIES COMMISSION
ELECTRICITY RESOURCES & PRICING BRANCH
770 L STREET, SUITE 1050
SACRAMENTO, CA 95814

KRIS G. CHISHOLM
CALIFORNIA ELECTRICITY OVERSIGHT BOARD
770 L STREET, SUITE 1250
SACRAMENTO, CA 95814

MICHAEL JASKE
CALIFORNIA ENERGY COMMISSION
1516 9TH STREET, MS-500
SACRAMENTO, CA 95814

WADE MCCARTNEY
CALIF PUBLIC UTILITIES COMMISSION
DIVISION OF STRATEGIC PLANNING
770 L STREET, SUITE 1050
SACRAMENTO, CA 95814

IRYNA KWASNY
DEPT. OF WATER RESOURCES-CERS DIVISION
3310 EL CAMINO AVE., STE.120
SACRAMENTO, CA 95821

MARY ANN MILLER
ELECTRICITY ANALYSIS OFFICE
CALIFORNIA ENERGY COMMISSION
1516 9TH STREET, MS 20
SACRAMENTO, CA 96814-5512

RON WETHERALL
ELECTRICITY ANALYSIS OFFICE
CALIFORNIA ENERGY COMMISSION
1516 9TH STREET MS 20
SACRAMENTO, CA 96814-5512

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